

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

**In the Matter of** )  
 )  
**Improving Public Safety Communications** )  
**in the 800 MHz Band** )  
 )  
**Consolidating the 900 MHz Industrial/Land** )  
**Transportation and Business Pool Channels** )

**WT Docket No. 02-55**

**To: The Commission**

**COMMENTS OF CENTRAL MAINE POWER COMPANY REGARDING  
“CONSENSUS PLAN” SUBMITTED ON AUGUST 7, 2002**

Central Maine Power Company (“CMP”) files its comments regarding the “Consensus Plan” submitted by the The Industrial Telecommunications Association, Inc. (“ITA”) and other parties (“Consensus Plan Proponents”) on August 7, 2002 in the captioned proceeding. CMP is filing these comments to bring to the attention of the Commission and the parties the special problems faced by electric utilities and others operating 800 MHz systems above Line A.

**I. Background**

CMP is an electric utility that serves more than 545 thousand electric customers in 13 counties covering approximately 11,000 square miles in the state of Maine. Much of CMP’s service area is rural and sparsely populated, and approximately half of its service area is above Line A. CMP utilizes an 800 MHz system in the Industrial/Land Transportation Pool that covers its entire electrical service area. Further information on the critical importance of CMP’s 800 MHz system to the reliable delivery of electricity

and the life and safety of its personnel was included with CMP's reply comments filed on August 7, 2002.

## **II. Discussion**

The "Consensus Plan Proponents" state in the "Consensus Plan" that they will address the Mexican and Canadian border regions in a subsequent filing. Since the Consensus Plan Proponents have yet to make a filing addressing the issue of the border regions, CMP can address the issue only generally. Moreover, the Commission ought not implement any plan affecting those operating above Line A until there has been an opportunity to review and comment on a specific plan dealing with the above Line A issues.

CMP operates nine 800 MHz sites in the 806-809/851-854 MHz band. The "Consensus Plan" would require CMP to relocate all 18 frequencies operating on eight of these sites to the 814-816/859-861 MHz band. However, because any relocation above Line A needs to be coordinated with Canadian authorities so as to avoid interference to Canadian stations, there is no guarantee that there would be frequencies available for relocation.

Even assuming that there are frequencies available in the 814-816/859-861 MHz band above Line A to relocate all 18 frequencies operating on CMP's nine sites in the 806-809/851-854 MHz band, it must be noted that CMP already operates 23 frequencies on 14 sites in the 814-816/859-861 MHz band, with two sites above Line A. This would bring CMP's total to 47 frequencies on 23 sites to be operated in the proposed guardband, with ten sites above Line A.

The problem with relegating electric utilities to the guardband is that the 800 MHz analog systems operated by electric utilities become extremely vulnerable to interference from digital SMR systems operating in the 816-824/861-869 MHz band. While Public Safety will be protected by the guardband, electric utilities will suffer interference as a result of their close proximity to the digital SMR frequencies. This is no small matter. As discussed in CMP's reply comments, CMP's 800 MHz system is critical for safe and efficient electrical maintenance and restoration. CMP's customers depend upon timely restoration of electricity after power outages caused by storms and other reasons, and CMP's maintenance and restoration personnel rely upon the 800 MHz communications system for their safety as well as to facilitate locating and restoring power to the areas of outage. The public interest, as mandated by the State of Maine, requires rapid restoration of power as well as the safety of electrical workers.

Relocation to 900 MHz is not a viable option for CMP for several reasons. CMP operates a total of 126 frequencies at 31 locations on its 800 MHz system. First, due to the need to obtain consent from the Canadian authorities, it is unknown whether channels can even be found at 900 MHz above Line A. Second, even if channels are available, CMP cannot break up its communications system between 800 MHz and 900 MHz. Trucks must be able to move from area to area during storm conditions to effect repairs to the electric network. The workers depend upon their communication units to operate reliably on one band. The inefficiencies of operating in two bands can hinder the effective restoration of electric power and endanger the safety of maintenance and restoration personnel.

Third, it is unreasonable and in many cases not feasible for regulated public utilities, such as CMP, to completely relocate their communications systems to other spectrum bands. The utility ratepayer who is also the taxpayer has already shouldered the burden of both the utility and the public safety systems to be put in place. Now these same people are being asked to shoulder the financial burden of relocating both the utilities and public safety to other spectrum. The \$500 million dollars that Nextel proposes to spend on public safety equipment is entirely inadequate to relocate public safety entities nationwide.

In Maine, there are no public safety entities using 800 MHz. Therefore, the type of reorganization of the band plan as proposed in the “Consensus Plan” is not needed in Maine. Because of the difficulty of finding available frequencies for relocation purposes above Line A, the “Consensus Plan” would be unworkable in Maine.

Since Nextel’s conversion to iDEN and its increase in its customer base is the primary cause of 800 MHz congestion and interference, the Commission should require Nextel to relocate to the 700 MHz or 900 MHz bands if anyone must relocate. Nextel is willing to invest \$500 million dollars in capital to assist public safety to relocate to other spectrum. Instead, Nextel should relocate itself or, in the alternative, along with other 800 MHz users benefiting from the relocation, pay the cost of anyone who is relocating to other spectrum, but only if such other spectrum is available.

### **III. Conclusion**

In view of the foregoing, the Commission ought not implement any plan above Line A until there has been an opportunity for full discussion in the public record of the problems inherent in relocating electric utilities and other 800 MHz users above Line A.

Respectfully submitted,

CENTRAL MAINE POWER COMPANY

By:                     /S/                      
Steven Thibodeau  
Comm Services Supervisor  
Central Maine Power Company  
57 Old Winthrop Road  
Augusta, ME 04330  
(207) 621-6677

September 23, 2002

410552v1